

REMARKS

Claims 1, 4, 5, 9, 10, 13, 28, 31, and 34 have been amended. Claims 2, 3, 7, 8, 14-17, 32, and 33 have been cancelled. Accordingly, claims 1, 4-6, 9-13, 18-31, and 34 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Priority:

Section 4 of the Office Action indicated that reference to the foreign application from which priority is claimed must be included at page 1, line 1 of the specification. Accordingly, the specification has been amended to include the reference information.

The Examiner further indicated that Applicant's priority claim based on patent applications filed in the United Kingdom on October 9, 1998 (specifically UK Patent Application Nos.: 9822132.8 and 9828200.7) was improper.

Applicant respectfully directs the Examiner's attention to MPEP 1895.01 (II), which states in part:

Rather than filing a national stage application, a continuing application (i.e., continuation, C-I-P, or division) under 35 U.S.C. 111(a) of the international application may be filed. Pursuant to 35 U.S.C. 365(c), a regular national application filed under 35 U.S.C. 111(a) and 37 CFR 1.53(b) (not under 37 CFR 1.53(d) or former 37 CFR 1.60 or 1.62) may claim benefit of the filing date of an international application which designates the United States.

Applicant has amended the application to include a reference claiming priority under 35 U.S.C. 120 to PCT application no. PCT/GB99/03334, filed October 8, 1999, and published in English as WO 00/22520 on April 20, 2000.

Furthermore, MPEP 201.13(b) states:

35 U.S.C. 365(c) recognizes the benefit of the filing date of an earlier application under 35 U.S.C. 120. Any international application designating the United States, whether filed with a Receiving Office in this country or abroad, and even though other countries may have also been designated, has the effect of a regular national application in the United States, as of the international filing date. As such, any later filed national application, or international application designating the United States, may claim the benefit of the filing date of an earlier international application designating the United States, if the requirements and conditions of section 120 of title 35 U.S.C. are fulfilled. Under the same circumstances, the benefit of the earlier filing date of a national application may be obtained in a later filed international application designating the United States.

Applicant has amended the application to reflect the priority claim under 35 U.S.C. 120 to PCT application no. PCT/GB99/03334. Since the international application PCT/GB99/03334 was filed within one year of the filing dates of both UK Patent Application Nos.: 9822132.8 and 9828200.7, Applicant submits that the priority claim to these applications is valid.

Drawings:

Section 6 of the Office Action objected to FIG. 1 for not including reference sign “22” mentioned in the description. Accordingly, FIG. 1 has been amended to include the cited reference sign, and a replacement sheet is attached hereto.

Section 7 of the Office Action objected to FIG. 7 for including reference signs “245” and “247” not mentioned in the description, and FIG. 16 for including reference signs “S31” and “S32” not mentioned in the description. FIGs. 7 and 16 have been amended accordingly, and replacement sheets are attached hereto.

Title:

Section 9 of the Office Action objected to the title of the invention as being non-descriptive. Accordingly the title of the invention has been amended to be clearly indicative of the invention to which the claims are directed.

Section 112 Rejections:

Section 11 of the Office Action rejected claims 10, 11, and 33 under 35 U.S.C. § 112, second paragraph as being indefinite.

Claim 10 has been amended to provide proper antecedent basis for the receiving “locations”. This amendment also provides proper antecedent basis in the case of claim 11. Claim 33 has been cancelled. The Applicants assert that the reasons for rejecting the cited claims have been overcome.

Section 102(e) and 103(a) Rejections:

Section 16 of the Office Action rejected claims 1-5, 7-17, 20-32, and 34 under 35 U.S.C. § 102(e) as being anticipated by Sudhakaran, et al. [U.S. 2003/0014468 A1], (hereinafter “Sudhakaran”). Section 12 of the Office Action rejected claims 6, 18-19, and 33 under 35 U.S.C. § 103(a) as being unpatentable over Sudhakaran in view of Macon, Jr., et al. U.S. patent number 5,752,249, (hereinafter “Macon, Jr.”). The Applicants respectfully traverse.

Amended claim 1 recites:

- “A method of automatic configuration of a unit forming a component of an apparatus, the method comprising:
- a) accessing class information held in the unit on insertion of the unit into the apparatus prior to integrating the unit functionally in the apparatus, said class information representing an object class for the unit;
 - b) using the accessed class information to reference, in storage in the apparatus separate from the unit, object definitions for the class of unit, which object definitions include initialization code

- operable on receipt of the accessed class information to produce configuration information operable to produce object configuration statements for the unit, that comprise at least one of the following: the object class for the unit; an object instance number; an attribute name; and a value for the attribute; and
- c) verifying the validity of the configuration information and, when the configuration information is valid, storing the configuration information in a configuration file for the apparatus including a location of the unit in the apparatus to enable functional integration of the unit in the apparatus.”

In contrast, Sudhakaran, at paragraph 33, describes a resource conflict resolver, which “ generates conflict free resource assignments and stores these assignments in resource usage objects in a hardware configuration database. The I/O framework provides classes from which a lock object can be instantiated. The lock object contains methods which retrieve the resource assignments for an I/O function from the resource usage objects and methods which acquire a lock on resources assigned to an I/O function. The lock object can be used by device drivers to first retrieve the resource assignments from the hardware configuration database and then acquire access to the resources assigned to an I/O function.

Sudhakaran appears to be silent with regard to “object definitions include initialization code operable on receipt of the accessed class information to produce configuration information operable to produce object configuration statements for the unit, that comprise at least one of the following: the object class for the unit; an object instance number; an attribute name; and a value for the attribute”, as recited in claim 1. Additionally, Sudhakaran appears to be silent with regard to “verify the validity of the configuration information and, when the configuration information is valid, store the configuration information in a configuration file for the apparatus including a location of the unit in the apparatus to enable functional integration of the unit in the apparatus”, as likewise recited in claim 1.

Since Sudhakaran neither teaches nor suggests the indicated features of claim 1, the applicants believe claim 1 patentably distinguishes over Sudhakaran. Claims 13, 28,

and 31 recite features, which are similar to those recited in claim 1, and are therefore, likewise believed to patentably distinguish over Sudhakaran. The applicants assert that the dependent claims (4-6 and 9-12 depending from claim 1, 18-27 depending from claim 13, 29 and 30 depending from claim 28, and 34 depending from claim 31) are patentable over Sudhakaran for at least the reasons given with regard to claim 1.

With regard to claims 6, 18, and 19, Macon, Jr. (first paragraph of summary) describes “a way of allowing one or more instantiated parameterized collection classes to survive the termination or loss of a routine that instantiated them”. Macon, Jr. does not teach or suggest “object definitions include initialization code operable on receipt of the accessed class information to produce configuration information operable to produce object configuration statements for the unit, that comprise at least one of the following: the object class for the unit; an object instance number; an attribute name; and a value for the attribute”. As described above, Sudhakaran is also silent with regard to this feature. Accordingly, it is believed that claims 6, 18, and 19 patentably distinguish over Sudhakaran and Macon, Jr. taken either singularly or in combination.

CONCLUSION


Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505/5181-86600/BNK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☐ Notice of Change of Address
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$
for fees ()
- ☒ Replacement Drawing Sheets for Figures 1, 7, and 16.

Respectfully submitted,



B. Noël Kivlin
Reg. No. 33,929
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8840

Date: March 1, 2004